



## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[MB Docket No. 21-70; RM-11886; DA 21-582; FR ID 28089]

#### Television Broadcasting Services Albany, Georgia.

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** On March 4, 2021, the Media Bureau, Video Division (Bureau) issued a *Notice of Proposed Rulemaking* in response to a petition for rulemaking filed by WFXL Licensee, LLC (Licensee), the licensee of WFXL, channel 12 (FOX), Albany, Georgia, requesting the substitution of channel 29 for channel 12 at Albany in the DTV Table of Allotments. For the reasons set forth in the *Report and Order* referenced below, the Bureau amends FCC regulations to substitute channel 29 for channel 12 at Albany.

**DATES:** Effective [INSERT DATE OF PUBLICATION IN THE FEDERAL REGISTER].

**FOR FURTHER INFORMATION CONTACT:** Joyce Bernstein, Media Bureau, at (202) 418-1647 or Joyce.Bernstein@fcc.gov.

**SUPPLEMENTARY INFORMATION:** The proposed rule was published at 86 FR 15885 on March 25, 2021. The Licensee filed comments in support of the petition reaffirming its commitment to apply for channel 29. A viewer of WFXL also filed comments in support of the channel substitution. In support, the Licensee states that the Commission has recognized that VHF channels have certain propagation characteristics which may cause reception issues for some viewers, that the reception of VHF signals requires larger antennas relative to UHF channels, and that WFXL has received numerous complaints from viewers unable to receive the Station's over-the-air signal, despite being able to receive signals from other stations. In addition, the Licensee submitted an analysis, using the Commission's *TVStudy* software analysis

program, demonstrating that WFXL will continue to serve all of the population located within the licensed channel 12 contour.

This is a synopsis of the Commission's *Report and Order*, MB Docket No. 21-70; RM-11886; DA 21-582, adopted May 17, 2021, and released May 17, 2021. The full text of this document is available for download at <https://www.fcc.gov/edocs>. To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

This document does not contain information collection requirements subject to the Paperwork Reduction Act of 1995, Public Law 104-13. In addition, therefore, it does not contain any proposed information collection burden "for small business concerns with fewer than 25 employees," pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107-198, *see* 44 U.S.C. 3506(c)(4). Provisions of the Regulatory Flexibility Act of 1980, 5 U.S.C. 601-612, do not apply to this proceeding.

The Commission will send a copy of this *Report and Order* in a report to be sent to Congress and the Government Accountability Office pursuant to the Congressional Review Act, *see* 5 U.S.C. 801(a)(1)(A).

### **List of Subjects in 47 CFR Part 73**

Television.

FEDERAL COMMUNICATIONS COMMISSION.

Thomas Horan  
Chief of Staff  
Media Bureau.

### **Final Rule**

For the reasons discussed in the preamble, the Federal Communications Commission amends 47 CFR part 73 as follows:

## PART 73 - - RADIO BROADCAST SERVICE

1. The authority citation for part 73 continues to read as follows:

**Authority:** 47 U.S.C. 154, 155, 301, 303, 307, 309, 310, 334, 336, 339.

2. In § 73.622(i), amend the Post-Transition Table of DTV Allotments, under Georgia, by revising the entry for Albany to read as follows:

### § 73.622 Digital television table of allotments.

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(i) \*\*\*

Community	Channel No.
*****	
GEORGIA	
*****	
Albany	10, 29
*****	

[FR Doc. 2021-10858 Filed: 5/21/2021 8:45 am; Publication Date: 5/24/2021]